

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
N/S Lodge Farm Road, approx. 205 ft. from c/l North Pt. Rd.
2858 Lodge Farm Road
15th Election District
7th Councilmanic District
Christine P. Cartwright
Contract Purchaser
Martin Hahn, Legal Owner
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a residential inground swimming pool in front side yard in lieu of the required rear yard, as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 46-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 407.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30th day of July, 1991 that the Petition for a Zoning Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a residential inground swimming pool in front side yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH/mmm

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 400.1 to permit a residential inground swimming pool in front side yard in lieu of required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason(s) (Indicate hardship or practical difficulty):
1. Due to the size & shape of this lot there is a limited amount of rear yard to accommodate a swimming pool.
2. To move the swimming pool further back in the rear yard, would cause the removal of three (3) existing pine trees.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser(s):

Christine P. Cartwright

(Type or Print Name)

Signature

Address

Edgemere, Md. 21219

City/State/Zip Code

Attorney for Petitioner(s):

(Type or Print Name)

Signature

Address

Attorney's telephone number

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Martin Hahn

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

B.P.S., Inc. - Patricia Orla - Rep

Name

Address

City

State

Zip

I, ORDERED by the Zoning Commissioner of Baltimore County, this 30th day of July, 1991, that the subject matter of this petition be posted on the property on or before the 30th day of July, 1991.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED,

IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this 30th day of July, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 100, County Office Building in Towson, Baltimore County, on the 30th day of July, 1991, at 9 o'clock, a.m.

RECEIVED
J. Robert Haines
Zoning Commissioner
BALTIMORE COUNTY
RECEIVED BY: [Signature]
DATE: [Date]
BY: [Signature]

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: [District]
Date of Posting: [Date]
Posted for: [Duration]
Petitioner: [Name]
Location of property: [Address]
Location of Sign: [Address]
Remarks: [Text]
Posted by: [Signature]
Number of Signs: [Count]

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

July 30, 1991

Ms. Christine P. Cartwright
2807 Delmar Road
Edgemere, Md. 21219

Mr. Martin Hahn
7423 North Point Road
Baltimore, Maryland 21219

RE: Petition for Residential Zoning Variance
Case No. 91-510-A

Dear Ms. Cartwright and Mr. Hahn:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
Zoning Commissioner

JRH:mmm

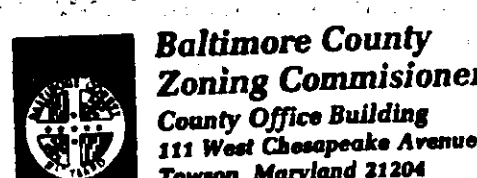
encl.

cc: Peoples Counsel

cc: B.P.S., Inc., Patricia Orla

4275 Ebenezer Road

Baltimore, Md. 21236



Account: R001-6150
Number

Date

6/24/91

HS100506

PUBLIC HEARING FEES
QTY PRICED
1 X 40.00
TOTAL: \$35.00

LAST NAME OF CURRENT OWNER

Please Make Checks Payable To: Baltimore County
04-22-900954-CHRC
111 West Chesapeake Avenue
Towson, MD 21204-24 92

\$35.00

Cashier Validation

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Martin Hahn
7423 North Point Road
Baltimore, Maryland 21219

Christine P. Cartwright
2807 Delmar Road
Edgemere, Maryland 21219

RE: CASE NUMBER: 91-510-A

LOCATION: N/S Lodge Farm Road, approximately 205' from centerline of North Point Road
2858 Lodge Farm Road

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refrainer regarding the administrative process.

1) Your property will be posted on or before July 14, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is July 29, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reporting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your order to be held and incur a \$50.00 charge. Please be advised that the order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

OFF THIS FILE

13/

J. Robert Haines

(912) 337-1300

cc: B.P.S., Inc.

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 2858 Lodge Farm Rd.

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: [Blank]
plat book #, folio #, lot #, section #

OWNER: MARTIN HAHN

111 West Chesapeake Avenue

Towson, Maryland 21204

91-510-A
Petitioner
Exhibit 1

111 West Chesapeake Avenue

Towson, Maryland 21204

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CASE NUMBER 91-510-11

PETITIONER'S EXHIBIT # 2

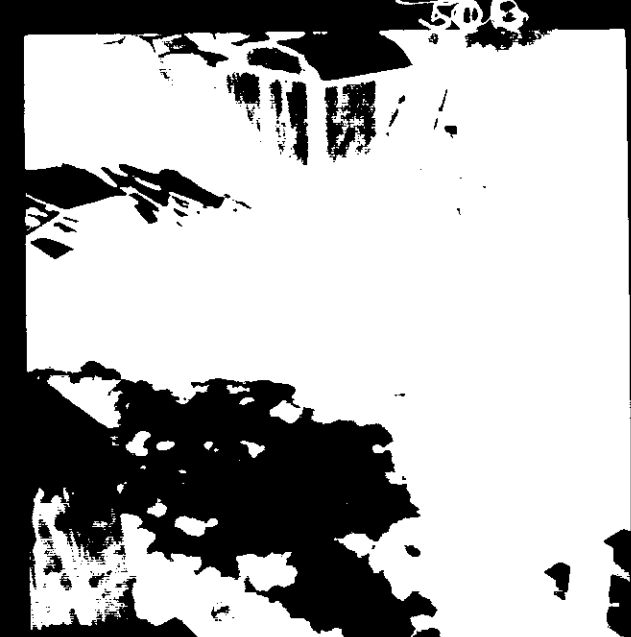


CASE NUMBER 91-510-11

PETITIONER'S EXHIBIT # 3



From Far Corner on North Point Rd.
& Looker Farm Rd. #4



CASE NUMBER 91-510-11

PETITIONER'S EXHIBIT # 4



Front of Property Seen thru House
Existing Trees in Rear Yard

Right Side Property Line
Front of Property



Existing Deck on Right Side #3
Left Side Property Line from Front
Showing Alley

Right Side Yard
Pool Site from 2nd Fl. of New House

91-510-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200'
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
NORTH POINT
EDGEMERE

SHEET
SE
6-1